

Session 119 - (2011-2012)

H 4614 General Bill, By Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons

Summary: Procedures and requirements of court-ordered child custody

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT-ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING "JOINT CUSTODY" AND "SOLE CUSTODY", REQUIRING PARENTS TO JOINTLY PREPARE AND SUBMIT A PARENTING PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS; REQUIRING THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, REQUIRING THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, STATING FINDINGS OF FACT AS TO WHY OR WHY NOT JOINT CUSTODY WAS AWARDED, PROVIDING MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER, PROVIDING FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD, AND AUTHORIZING A PARENT TO SEEK ARBITRATION OF AN ISSUE THAT CANNOT BE RESOLVED BETWEEN THE PARENTS; AND TO AMEND SECTION 63-5-30, RELATING TO THE RIGHTS AND DUTIES OF PARENTS TO THEIR CHILDREN, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL POWERS, RIGHTS, AND DUTIES CONCERNING ALL MATTERS AFFECTING THEIR CHILDREN.

01/17/12	House	Introduced and read first time (House Journal-page 10)
01/17/12	House	Referred to Committee on Judiciary (House Journal-page 10)
01/19/12	House	Member(s) request name added as sponsor: Spires
01/25/12	House	Committee report: Favorable with amendment Judiciary (House Journal-page 19)
01/26/12	House	24 hour point of order (House Journal-page 22)
01/26/12	House	Member(s) request name added as sponsor: Loftis, Clemmons
01/31/12	House	Amended (House Journal-page 38)
01/31/12	House	Read second time (House Journal-page 38)
01/31/12	House	Roll call Yeas-104 Nays-0 (House Journal-page 45)
02/01/12	House	Read third time and sent to Senate (House Journal-page 7)
02/01/12	House	Roll call Yeas-95 Nays-0 (House Journal-page 7)
02/01/12	Senate	Introduced and read first time (Senate Journal-page 15)
02/01/12	Senate	Referred to Committee on Judiciary (Senate Journal-page 15)
02/06/12	Senate	Referred to Subcommittee: Sheheen (ch), Knotts, Campsen, Lourie, Campbell
04/18/12	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 16)
04/19/12		Scrivener's error corrected
05/30/12	Senate	Committee Amendment Amended and Adopted (Senate Journal-page 32)
05/30/12	Senate	Read second time (Senate Journal-page 32)
05/30/12	Senate	Roll call Ayes-33 Nays-0 (Senate Journal-page 32)
06/06/12	Senate	Read third time and returned to House with amendments (Senate Journal-page 5)
06/06/12	House	Concurred in Senate amendment and enrolled
06/06/12	House	Roll call Yeas-100 Nays-0